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8
9 **BEFORE THE**
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
10 **STATE OF CALIFORNIA**

11
12 In the Matter of the Accusation Against:

13 **TERESA MARIE COSCIA**
14 **4501 Greenmeadows Avenue**
Torrance, CA 90505

15 **Registered Nurse License No. 428868**

16 **Respondent.**

Case No. 2011-826

A C C U S A T I O N

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18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
21 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
22 Consumer Affairs.

23 2. On or about August 1, 1988, the Board of Registered Nursing issued Registered
24 Nurse License Number 428868 to Teresa Marie Coscia (Respondent). The Registered Nurse
25 License was in full force and effect at all times relevant to the charges brought herein and will
26 expire on January 31, 2012, unless renewed.
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1 8. Section 820 of the Code states:

2 Whenever it appears that any person holding a license, certificate or permit
3 under this division or under any initiative act referred to in this division may be
4 unable to practice his or her profession safely because the licentiate's ability to
5 practice is impaired due to mental illness, or physical illness affecting competency,
6 the licensing agency may order the licentiate to be examined by one or more
7 physicians and surgeons or psychologists designated by the agency. The report of
8 the examiners shall be made available to the licentiate and may be received as
9 direct evidence in proceedings conducted pursuant to Section 822.

10 9. Section 822 of the Code states:

11 If a licensing agency determines that its licentiate's ability to practice his or
12 her profession safely is impaired because the licentiate is mentally ill, or physically
13 ill affecting competency, the licensing agency may take action by any one of the
14 following methods:

15 (a) Revoking the licentiate's certificate or license.

16 (b) Suspending the licentiate's right to practice.

17 (c) Placing the licentiate on probation.

18 (d) Taking such other action in relation to the licentiate as the licensing
19 agency in its discretion deems proper.

20 The licensing agency shall not reinstate a revoked or suspended certificate
21 or license until it has received competent evidence of the absence or control of the
22 condition which caused its action and until it is satisfied that with due regard for
23 the public health and safety the person's right to practice his or her profession may
24 be safely reinstated.

25 10. Section 2762 of the Code states:

26 In addition to other acts constituting unprofessional conduct within the
27 meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for
28 a person licensed under this chapter to do any of the following:

.....

(b) Use any controlled substance as defined in Division 10 (commencing
with Section 11000) of the Health and Safety Code, or any dangerous drug or
dangerous device as defined in Section 4022, or alcoholic beverages, to an extent
or in a manner dangerous or injurious to himself or herself, any other person, or
the public or to the extent that such use impairs his or her ability to conduct with
safety to the public the practice authorized by his or her license.

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REGULATORY PROVISIONS

11. California Code of Regulations, title 16, section 1445 states:

....

(b) When considering the suspension or revocation of a license on the grounds that a registered nurse has been convicted of a crime, the board, in evaluating the rehabilitation of such person and his/her eligibility for a license will consider the following criteria

(1) Nature and severity of the act(s) or offense(s).

(2) Total criminal record.

(3) The time that has elapsed since commission of the act(s) or offense(s).

(4) Whether the license has complied with any terms of parole, probation, restitution or any other sanctions lawfully imposed against the licensee.

(5) If applicable, evidence of expungement proceedings pursuant to Section 1203.4 of the Penal Code.

(6) Evidence, if any, of rehabilitation submitted by the licensee.

COST RECOVERY

12. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL ALLEGATIONS

13. On September 11, 2009, Respondent was admitted to Scripps Green Hospital with alcoholic hepatitis and a blood alcohol level of .29 percent. On the second day of her hospital stay, Respondent went into withdrawal and experienced tremors indicating chronic heavy alcohol usage. During an evaluation, Respondent described a history of alcohol dependence for about 10 years. Respondent stated that she was admitted to Aurora Behavioral Health for detoxification in December 2008. Respondent admitted that she took Antabuse¹ but stopped prior

¹ Antabuse, or Disulfiram, is used to treat chronic alcoholism. It causes unpleasant effects when even small amounts of alcohol are consumed. These effects include flushing of the face,
(continued...)

1 to her relapse. Respondent relapsed in July 2009, and quickly began to drink heavily again. She
2 admitted to drinking 8 or more ounces of vodka per day for several weeks prior to her admission
3 to Scripps Green Hospital. Respondent stated that she had been working as a registered nurse at
4 Children's Hospital during this period of abuse. Respondent stated that she began to experience
5 progressive weakness, nausea, vomiting, and pain. Respondent admitted that her last drink was
6 September 10, 2009.

7 14. On November 17, 2010, a DOI investigator spoke with Respondent via telephone.
8 Respondent admitted to the investigator that she had an issue with alcohol, but stated that it did
9 not affect her work. Respondent also admitted that she completed a 30 day inpatient treatment
10 program at Crosby Center in March 2010 and that she attended Alcoholic's Anonymous meetings
11 as follow-up care until July 2010.

12 15. On March 22, 2011, the Board issued an Order requiring Respondent to submit to a
13 mental and physical examination to determine whether she was impaired due to mental or
14 physical illness affecting competency. Thereafter, and pursuant to the Board's Order, Respondent
15 submitted to a physical and mental examination by a medical doctor.

16 16. During the mental examination with the medical doctor, Respondent admitted: that
17 she relapsed in January 2010 and by March 2010, her drinking had escalated; she entered the
18 Crosby Center for a 30 day period of rehabilitative treatment and was discharged on April 22,
19 2010; in September 2010, she began drinking alcohol again; and she continued to drink for 9
20 weeks until she entered another rehabilitation program, "NTS" Rehab in Costa Mesa, on
21 December 27, 2010. The medical doctor diagnosed Respondent with alcohol dependence, in
22 remission. The medical doctor opined that it would be "prudent for the Board to monitor
23 [Respondent] for several years in order [to] be certain that she is maintaining her recovery." The
24 medical doctor further recommended that Respondent be drug and alcohol tested by the Board, to
25 ensure that Respondent remained sober. The medical doctor opined that if Respondent were to
26 relapse again, she could be a risk to the public.

27 headache, nausea, vomiting, chest pain, weakness, blurred vision, mental confusion, sweating,
28 choking, breathing difficulty, and anxiety.

1 **FIRST CAUSE FOR DISCIPLINE**

2 (Unsafe to Practice)

3 17. Respondent is subject to disciplinary action under Section 822 of the Code, in that
4 due to her history of alcohol relapses, Respondent's ability to practice nursing safely is impaired
5 and she presents a risk to the public's safety if she is not monitored by the Board, as set forth in
6 paragraphs 13 through 16, above, which are incorporated herein by reference.

7 **SECOND CAUSE FOR DISCIPLINE**

8 (Use of Alcohol in a Manner Dangerous to Self or Others)

9 18. Respondent is subject to disciplinary action under section 2762(b) of the Code in that
10 Respondent used alcohol to an extent as to be dangerous to herself or others, as set forth in
11 paragraphs 13 through 16, above, which are incorporated herein by reference.

12 **PRAYER**

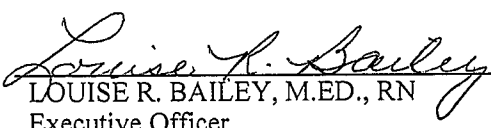
13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Board of Registered Nursing issue a decision:

15 1. Revoking or suspending Registered Nurse License Number 428868, issued to Teresa
16 Marie Coscia;

17 2. Ordering Teresa Marie Coscia to pay the Board of Registered Nursing the reasonable
18 costs of the investigation and enforcement of this case, pursuant to Business and Professions
19 Code section 125.3;

20 3. Taking such other and further action as deemed necessary and proper.

21
22 DATED: 6/10/11


LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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